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APR 22 2005

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EASTERN DISTRICT OF CALIFORNIA
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IN THE UNITED STATES DISTRICT COURT FOR THE
EASTERN DISTRICT OF CALIFORNIA

2:05 - SW - 0097

DAD

IN RE: APPLICATION FOR AN ORDER)
AUTHORIZING SERVICE PROVIDER TO) NO. SW
PROVIDE SUBSCRIBER INFORMATION)
AND CELL SITE INFORMATION)
_____) **(UNDER SEAL)**

O R D E R

This matter has come before the Court pursuant to an Application under Title 18, United States Code, Sections 3122 and 2703 by Mary L. Grad, an attorney of the United States Department of Justice. The Application requests an order requiring Cingular Wireless to provide subscriber information and Cell site information for the telephone identified by telephone number **(209) 481-0707**.

The Court finds that the applicant has provided specific articulable facts showing that there are reasonable grounds to believe that the information likely to be obtained by disclosure the requested information is relevant to a legitimate ongoing criminal investigation into possible violations of Title 21, United States Code, Section 846 and 841(a)(1), Conspiracy to Distribute a Controlled Substance.

The Court further finds that the government has made a

1 showing that there is reason to believe that notification or
2 disclosure by Cingular Wireless and any other involved telephone
3 company, of the existence of the investigation, the existence of
4 the request for this information and other relevant information
5 will (1) endanger the life or safety of government agents; (2)
6 cause the subjects to flee to avoid prosecution; or (3) seriously
7 jeopardize the investigation in that the suspects will stop using
8 their telephones, begin using pay telephones, or move their
9 illegal operations elsewhere.

10 IT APPEARING that the subscribers and the cell site
11 information for **(209) 481-0707**, are relevant to an ongoing
12 criminal investigation of the specified offenses, THE FOLLOWING IS
13 HEREBY ORDERED:

14 1. Pursuant to Title 18, United States Code, Section 2703,
15 Cingular Wireless shall provide to agents of the Drug Enforcement
16 Administration with subscriber information and cell site
17 information for the period March 21, 2005 through April 20, 2005.

18 2. Pursuant to Title 18, United States Code, Section
19 3123(b)(2), Cingular Wireless shall furnish agents of the Drug
20 Enforcement Administration forthwith all information, and
21 assistance necessary to accomplish this order

22 3. Cingular Wireless shall be compensated by the government
23 for reasonable expenses incurred in providing facilities and
24 technical assistance in connection with providing the requested
25 information.

26 4. Pursuant to Title 18, United States Code, Sections 3123
27 (d) and 2705 (b), this Order and the Application shall be sealed
28 until otherwise ordered by the Court, and Cingular Wireless, and

any other involved telephone company, shall not disclose the existence of the investigation, the existence of the request for the information encompassed by this order.

IT IS SO ORDERED.

DATED: April 21, 2005



DALE A. DROZD
UNITED STATES MAGISTRATE JUDGE